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AFS

Docket No.: DURE-021

I hereby certify that this paper is being deposited with the United States Postal Service
As first class mail in an envelope addressed to:
MS AF Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313
on: 12/02/2009
Signature: [Signature] Printed: Crystal Susa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Arenberg, et al.

Title: CONTROLLED RELEASE SYSTEM FOR DELIVERING THERAPEUTIC AGENTS
INTO THE INNER EAR

Serial No.: 09/205,251

Filing Date: 12/04/1998

Examiner: Stigell, Theodore J.

Group Art Unit: 3763

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the
decision dated 06/02/2009 of the Examiner's rejection of Claims 26,28,29,54-60,66-
68,70-78 and 80-82.

Please charge the Appeal Fee of 540.00 required under 37 CFR 1.17(b) to Deposit
Account No. **50-1953**. (A request for an extension of time of 3 (three)-months is attached,
giving Applicants until 12/02/2009 to file this Notice of Appeal.) The Commissioner is
hereby authorized to charge any additional fees associated with this communication or credit any
overpayment to Deposit Account No. **50-1953**.

Date: 2 DEC 2009

Respectfully submitted,
DURECT CORPORATION

[Signature]

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